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8 Attorneys for Plaintiffs CRAIG YATES  
9 and DISABILITY RIGHTS ENFORCEMENT,  
10 EDUCATION SERVICES

11  
12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA

14 CRAIG YATES, an individual; and )                   **CASE NO. CV-08-2545-CW**  
15 DISABILITY RIGHTS, ENFORCEMENT, )  
16 EDUCATION, SERVICES:HELPING )  
17 YOU HELP OTHERS, a California public )  
18 benefit corporation, )  
19 Plaintiffs, )                   **STIPULATION OF DISMISSAL AND**  
20 v. )                   **[PROPOSED] ORDER THEREON**  
21 SUSHI BISTRO, INC., a California )  
22 corporation; JEFFERY LAU; and SOPHIA )  
23 LAU, )  
24 Defendants. )

25 The parties, by and through their respective counsel, stipulate to dismissal of this action  
26 in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the  
27 Settlement Agreement and General Release (“Agreement”) herein, each party is to bear its own  
28 costs and attorneys’ fees. The parties further consent to and request that the Court retain  
jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511  
U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of  
settlement agreements).

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1 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through  
2 their designated counsel that the above-captioned action be and hereby is dismissed with  
3 prejudice pursuant to Federal Rules of Civil Procedure Rule 41(a)(1).

4 Respectfully submitted,

5  
6 Dated: March 23, 2009

THOMAS E. FRANKOVICH,  
*A PROFESSIONAL LAW CORPORATION*

7  
8 By: \_\_\_\_\_ /S/  
9 Thomas E. Frankovich  
10 Attorneys for Plaintiffs CRAIG YATES and  
DISABILITY RIGHTS ENFORCEMENT,  
EDUCATION SERVICES

11  
12 Dated: March 24, 2009

JON C. YONEMITSU,  
GORDON & REES LLP

13  
14 By: \_\_\_\_\_ /S/  
15 Jon C. Yonemitsu  
16 Attorneys for Defendants SUSHI BISTRO, INC., a  
California corporation; JEFFREY LAU; and  
SOPHIE LAU

17  
18 **ORDER**

19 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to  
20 Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for  
21 the purpose of enforcing the parties' Settlement Agreement and General Release should such  
enforcement be necessary.

22  
23 3/31  
24 DATED: \_\_\_\_\_, 2009



25  
26 HONORABLE CLAUDIA WILKEN  
United States District of California Judge